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Date: **3 February 2015**
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GENERAL PURPOSES COMMITTEE

9 FEBRUARY 2015

A meeting of the General Purposes Committee will be held at **7.00 pm on Monday, 9 February 2015** in the Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Membership:

Councillors: S Tomlinson (Chairman) Bayford, Campbell, Everitt, Fenner, I Gregory, King, Marson, S Tomlinson, Wiltshire and Poole

A G E N D A

Item
No

Subject

1. **APOLOGIES FOR ABSENCE**

2. **DECLARATIONS OF INTEREST**

To receive any declarations of interest.

3. **MINUTES OF PREVIOUS MEETING** (Pages 1 - 2)

To approve the Minutes of the meeting of the General Purposes Committee held on 23 October 2014 copy attached.

4. **REPORT ON RECRUITMENT OF CHIEF EXECUTIVE** (Pages 3 - 10)

Declaration of Interest form - back of agenda

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GENERAL PURPOSES COMMITTEE

Minutes of the meeting held on 23 October 2014 at 7.00 pm in Austen Room, Council Offices, Cecil Street, Margate, Kent.

Present: Councillor Mrs Shirley Tomlinson (Chairman); Councillors Bayford, Campbell, Everitt, Fenner, I Gregory, King, Wiltshire and Poole

In Attendance:

67. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Marson.

68. DECLARATIONS OF INTEREST

There were no declarations of interest.

69. APPOINTMENT OF EK SERVICES DIRECTOR

The Interim Legal Services Manager outlined the report. He explained that Donna Reed, the current director of shared services was leaving the post at the end of October and following a selection and interview process carried out by the three Council's chief executive's Dominic Whelan had been designated as her successor. As Thanet District Council were the host authority for East Kent Services and that TDC were required to appoint chief officers in accordance with its officer employment rules, the matter was being brought to the committee for decision.

Mr Whelan however was only available to start in the new role at the beginning of December and so there would be gap of approximately one month where there would be no officer to discharge the functions delegated to the director of shared services. Therefore it was proposed that TDC's interim director of shared services Paul Cook would perform the role on an interim basis until Mr Whelan is in post.

The committee then discussed the report and made a number of points including; that the report was a paper exercise, the committee was not really in a position to say no to the appointment of Mr Whelan, would Mr Cook not be overloaded doing his current job and this new role and would Mr Cook be remunerated for taking on this extra responsibility?

The Interim Legal Services Manager and the Head of EK Human Resources confirmed; that the recruitment process had been robust, that the recruitment process for chief officers for East Kent Services would be included in a wider review of the East Kent Joint Arrangements Committee, that Mr Cook would be further delegating responsibilities to existing East Kent Services Officers and so would not be taking on anymore work and so would be receiving no additional remuneration for the role.

It was proposed by Councillor Campbell and seconded by Councillor Bayford and AGREED that:

- 1) That as from 1 November 2014 Paul Cook, be appointed interim director of shared services to exercise the functions ascribed to the director until such time as the permanent appointment of Dominic Whelan takes effect.
- 2) That Dominic Whelan, be appointed director of shared services to exercise the functions ascribed to the director.

70. EXCLUSION OF PUBLIC AND PRESS

It was proposed by Councillor Bayford and seconded by councillor Poole and AGREED that the public and press be excluded from the meeting for agenda items 5, 6 and 7 as it contains exempt information as defined in Paragraphs 1 and 2 of Schedule 12A of the Local Government Act 1972 (as amended).

71. MINUTES OF PREVIOUS MEETING

The minutes of the meeting of 3 June 2014 were AGREED and signed as a correct record.

It was also proposed by Councillor Campbell and seconded by Councillor Everitt and AGREED that all previous sets of minutes regarding the complaint are subsequently published.

72. REPORT FOLLOWING THE INVESTIGATION OF THE DESIGNATED INDEPENDENT PERSON

The Interim Legal Services Manager outlined his report following the investigation of the designated independent person.

Members of the Committee then discussed the report and addressed questions to the Monitoring Officer and Head of EK Human Resources.

It was proposed by Councillor Campbell, seconded by Councillor Bayford and AGREED that:

“Members receive the report of the Designated Independent Person and accept the recommendations contained in the report, particular attention being drawn to paragraphs 157 and 158 of the report and that the report be put in the public domain.”

It was then proposed by Councillor Poole, seconded by Councillor Campbell and AGREED that “the costs of the investigation be put in the public domain”.

73. REPORT ON THE LETTER FROM THE MONITORING OFFICER

The Interim Legal Services Manager outlined his report on the letter from the Monitoring Officer.

Members of the Committee then discussed the report and addressed questions to the Monitoring Officer.

It was proposed by Councillor Campbell, seconded by Councillor Bayford and AGREED that Members receive and note the report.

Meeting concluded : 7.45 pm

REPORT ON RECRUITMENT OF CHIEF EXECUTIVE

To: **General Purposes Committee – 9 February 2015**

By: **Monitoring Officer**

Classification: **Unrestricted**

Ward: **N/A**

Summary: This report follows the resignation of the Chief Executive and requests the commencement of recruitment of a new Chief Executive.

For Decision

1.0 Introduction and Background

- 1.1 Members will be aware that Dr Sue McGonigal, the former Chief Executive submitted her resignation to the Council on 30th December 2014.
- 1.2 Dr McGonigal was medically signed off from her employment for several months prior to this resignation and in her absence Madeline Homer has been operating in the role of Acting Chief Executive and Head of Paid Service following her formal appointment at Council on 10th July 2014.
- 1.3 Following receipt of that resignation the Council needs to make provision to recruit a new Chief Executive to act as Head of Paid Service which is a statutory role.
- 1.4 The Constitution provides some procedure rules in relation to recruitment of a Chief Executive and these are as follows:-

Where the Council proposes to appoint a chief officer and it is not proposed that the appointment be made exclusively from among their existing officers, the Council will:

- (a) *draw up a statement specifying:*
- (i) *the duties of the officer concerned; and*
 - (ii) *any qualifications or qualities to be sought in the person to be appointed;*
- (b) *make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it; and*
- (c) *make arrangements for a copy of the statement mentioned in paragraph (1) to be sent to any person on request.*

2.0. Current Situation

- 2.1 The Council is required by statute to appoint one of its officers as Head of Paid Service.
- 2.2 Following the departure of the previous Chief Executive there is a now a need to recruit to the post.
- 2.3 A draft Job Description containing specific person criteria is attached for assistance.

3.0 Options

- 3.1 The Council through its General Purposes Committee (GPC) can agree to go out to advertisement as soon as possible to recruit to the post of Chief Executive and commence the process. This would allow for a testing of the market and provide a robust process for appointment of the new Chief Executive.
- 3.2 The Council through its GPC could choose to recruit at a later stage. This is not recommended as the present position of having an Acting Chief Executive was only intended to provide cover for a short term absence. It would also provide an uncertain environment for the current Acting Chief Executive and a lack of stability to the Council.

4.0 Next Steps

- 4.1 Following a decision to recruit to the Chief Executive's post and agreement on the Job Description and person specification contained within the matter can be put out to advert without delay.
- 4.2 EKHR will work with consultants Gatenby Sanderson (Recruitment Agency already contracted for senior roles) to agree an advertisement strategy, maximising attraction
- 4.3 Gatenby Sanderson will manage the receipt of applications and will categorise into three levels of suitability. These will then be presented to the Head of EK Human Resources to agree which of these people should be progressed.
- 4.4 EKHR will devise an assessment centre in conjunction with Gatenby Sanderson to test the key skills and criteria for the role.
- 4.5 Following the assessment centre, short listed applicants will have a first interview with:
 - Head of EK Human Resources
 - Appropriate Senior Official of TDC (S.151 or MO dependent upon availability)
 - Independent panel member - e.g. Chief Executive from another LA
- 4.6 The successful candidates will then be progressed to second interview by the General Purposes Sub Committee. The final candidate(s) will be presented to Full Council for Appointment.

5.0 Corporate Implications

5.1 Financial and Risk

- 5.1.1 Sufficient funds are available to progress recruitment as identified at 3.1 above and the proposal is therefore within existing resources. Delay in progressing may have a

negative impact on spend due to timing of the recruitment campaign as the opportunity exists to run alongside the Senior Officer recruitment.

5.2 Legal

5.2.1 The failure to recruit a Head of Paid Service is contrary to the legislation.

5.3 Corporate

5.3.1 These decisions must be taken in accordance with our own procedures as set out in this report.

5.4 Equity and Equalities

5.4.1 There are no direct equity or equalities issues arising from this report.

6.0 Recommendations

6.1 That recruitment to the post of Chief Executive is commenced immediately and arrangements are made for the post to be advertised so that it is brought to the attention of persons who are qualified to apply for it.

6.2 That the Job Description be agreed in relation to the post subject to any amendments being delegated to the Leader and Chairman of General Purposes Committee in conjunction with the Monitoring Officer.

6.3 That a Sub-Committee be created for second interview for this role consisting of the Leader of the Labour Group, Leader of the Conservative Group and the Leader of the Largest Independent Group as agreed in relation to the other statutory posts by GPC on 8th May 2014.

6.3 That the appointment of Madeline Homer to the role of Acting Chief Executive and Head of Paid Service and all duties related be formally extended until final appointment of a new Chief Executive and Head of Paid Service

7.0 Decision Making Process

The General Purposes Committee has the power to make Chief Officer appointments and exercise this duty on behalf of the Council.

Contact Officer:	Steven Boyle, Legal Services Manager and Monitoring Officer
Reporting to:	Madeline Homer, Acting Chief Executive

Annex List

Annex 1	Job Description for Chief Executive
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Background Papers

Title	Details of where to access copy
N/A	

Corporate Consultation Undertaken

Finance	Paul Cook, Interim Deputy Section 151 Officer and Director of Corporate Resources
Legal	N/A



Job Description

POST DETAILS			
Division/Department	All		
Organisation	Thanet District Council	Location	Thanet
Job title	Chief Executive		
Reports to (job title)	The Council through the Leader		
Grade	TBC	Politically Restricted Post	Yes
DBS (CRB) Requirement <i>Tick ✓ as appropriate</i>	Standard: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		Enhanced: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

JOB PURPOSE
<i>Explain in one or two sentences the principal reason why the job exists</i>
Lead decisively and inspire the senior management team and staff to deliver the Council's vision, values and objectives in a coordinated corporate approach to achieve the highest possible performance enabling Council to deliver objectives for residents, other service users and stakeholders, whilst ensuring that the Council maximises opportunities to achieve sustainable growth for new and existing communities. To act as the Council's Head of Paid Services and to arrange for the co-ordination of the operation and delivery of the Council's functions

PRINCIPAL ACCOUNTABILITIES
<i>Include the most significant responsibilities of the job which have a clear end result. Normally there will be between six and ten accountabilities. See guidance notes for assistance with writing accountability statements.</i>
<ul style="list-style-type: none"> To provide inspirational and decisive leadership and facilitate the development of the Senior Management team and officers using principles of performance management in the attainment of corporate plans and objectives To work in partnership with the elected Members in their role as community leaders by advising on building and fostering relationships with community groups, other local authorities, local employers including educational establishments, NHS and the voluntary sector To arrange the Council's staff in order to deliver the best means of discharging the functions of the Council Create a culture of continuous improvement and innovation and act as a role model to inspire all employees to promote the values of the Council and present a positive image to the community Ensure elected members receive the highest quality advice on strategy and policy issues. Manage the interface between the policy making role of elected members and the executive role of the officers to ensure the delivery of policies, plans and strategies Ensure the Council evaluates the effectiveness of all its services through service reviews, plans for continuous monitoring and implementation of efficiency savings. Take responsibility for the direction of travel and performance of the Council as a whole, setting challenging and ambitious targets and setting priorities. Ensure the Councils commitment to equality and diversity is delivered through its policies and actions Undertake a range of civic duties, promoting the interests of and acting as an ambassador for the Council and district To participate as required in the Council's Emergency Planning operations including undertaking training, responding to an emergency which may involve duties outside your normal job

- description and at time outside your contracted hours
- To ensure the Council is organised effectively and is able to respond to changing needs, that operational accountabilities are clearly defined and appropriately managed and that all services and staff have clear objectives that relate directly to the delivery of the Corporate Plan
- To support effective medium / long term financial planning and continued strong financial management and ensure that the Council's financial systems and affairs are properly managed to a high standard and its statutory obligations are met
- To ensure that all the resources within the Council's remit are used effectively and in a coordinated way to deliver excellent customer service to all those who work, live in or visit the district
- To act as Electoral Registrations Officer and Returning Officer for Election and related activities
- To undertake any additional duties of a similar level of responsibility as may be required from time to time
- To act as Head of the Council's Paid Service

REQUIRED ATTRIBUTES	
<i>Include the essential attributes that the job-holder must have in order to perform the role competently and successfully</i>	
Knowledge	<ul style="list-style-type: none"> • Able to display a passion for Thanet and an ability to shape the Council's vision • Understanding of the statutory role of local authorities and of national and regional policy issues which relate to local government and experience of developing strategies and solutions to address these effectively • An appreciation of local community needs and the importance of successful community involvement and empowerment • Be able to demonstrate considerable knowledge of corporate issues and understanding of service issues affecting local government • Understand the need to provide support and assistance to all members and senior politicians irrespective of their political allegiances
Skills	<ul style="list-style-type: none"> • Willingness to embrace new technology and a understanding of how it can be used to improve efficiency and promote inclusion • High level oral and written communication skills including the ability to formulate and deliver complex strategic plans and implement long term goals • Capable of seeing beyond the short term and to identify broader opportunities and the potential for operating in innovative ways to achieve end results • Political sensitivity, with the ability to advise all political groups and the Council as a whole in an objective and bias-free way • Able to work under constant pressure whilst maintaining a sense of perspective, proportion and humour • Have the ability and commercial acumen to understand and successfully resolve complex problems and exploit commercial opportunities • Proven excellent inter-personal, networking and negotiation skills • Be confident and authoritative when representing the Council in wide range of meetings and collaborative arrangements and in relation to media.
Experience	<ul style="list-style-type: none"> • An experienced leader with an extensive track record in a complex, multifunctional public or voluntary sector organization • A successful track record of working in a political environment, developing effective and productive relationships with Councillors and senior managers in order to balance the achievement of organisational objectives with professional, service and other standards and financial constraints • A proven track record of working successfully at all levels with a wide range of individuals from all backgrounds and with partner

	<p>organisations including public agencies, private sector, voluntary bodies and statutory and non-statutory bodies</p> <ul style="list-style-type: none"> • A successful track record of establishing a strong performance management culture which is customer focused, quality driven and allows objective measurement of outcomes • Experience of preparing, managing and controlling complex budgets and of the deployment of resources to achieve corporate objectives • Experience of leading cultural and organisational change • Evidence of building a high performing team and leading the activities of senior managers to achieve policy outcomes • Proven experience of being able to quickly establish and maintain credibility with stakeholders; Members, Senior Managers, Employees and Partners • Ability to prove, through tangible measures, sustained improvement of services managed • Proven experience of successfully communicating complex issues coherently and persuasively • Be able to demonstrate experience of effectively developing and implementing communication and engagement strategies to a diverse and widely dispersed audience
Qualifications	<ul style="list-style-type: none"> • Degree or relevant professional qualification or equivalent • Evidence of continuing professional development and high level managerial experience
JOB DIMENSIONS	
<i>Include key statistics relating to the job</i>	
Annual budgetary amounts <i>State if impact is direct or indirect</i>	
Number of staff reporting to the job holder <i>Specify direct and indirect reports</i>	
Any other relevant statistics	

NATURE OF CONTACTS	
<i>Include key contacts and the nature of the communications</i>	
Internal	
External	

WORKING ENVIRONMENT CONTEXT
<i>Complete this section if the job involves physical effort and/or strain or if the job-holder is required to work in unfavourable environmental conditions. This section does not apply to most roles in a normal day-to-day office environment.</i>

ORGANISATION CHART
<i>Include an organisation chart which shows the immediate superior, peers and jobs reporting to this position. The organisation chart can be inserted below or provided as an attachment.</i>

JOB DESCRIPTION SIGN-OFF		
Completed by	<i>Line Manager Job Title</i>	<i>Date</i>
Reviewed/Agreed by	<i>Next Level Manager Job Title</i>	<i>Date</i>
Dimensions Reviewed/Agreed by	<i>Job Title e.g. Finance Manager or as appropriate</i>	<i>Date</i>
Job Holder Reviewed/Agreed by	<i>Job Title</i>	<i>Date</i>

THANET DISTRICT COUNCIL DECLARATION OF INTEREST FORM

Do I have a Disclosable Pecuniary Interest and if so what action should I take?

Your Disclosable Pecuniary Interests (DPI) are those interests that are, or should be, listed on your Register of Interest Form.

If you are at a meeting and the subject relating to one of your DPIs is to be discussed, in so far as you are aware of the DPI, you **must** declare the existence **and** explain the nature of the DPI during the declarations of interest agenda item, at the commencement of the item under discussion, or when the interest has become apparent

Once you have declared that you have a DPI (unless you have been granted a dispensation by the Standards Committee or the Monitoring Officer, for which you will have applied to the Monitoring Officer prior to the meeting) you **must:-**

1. Not speak or vote on the matter;
2. Withdraw from the meeting room during the consideration of the matter;
3. Not seek to improperly influence the decision on the matter.

Do I have a significant interest and if so what action should I take?

A significant interest is an interest (other than a DPI or an interest in an Authority Function) which:

1. Affects the financial position of yourself and/or an associated person; or Relates to the determination of your application for any approval, consent, licence, permission or registration made by, or on your behalf of, you and/or an associated person;
2. And which, in either case, a member of the public with knowledge of the relevant facts would reasonably regard as being so significant that it is likely to prejudice your judgment of the public interest.

An associated person is defined as:

- A family member or any other person with whom you have a close association, including your spouse, civil partner, or somebody with whom you are living as a husband or wife, or as if you are civil partners; or
- Any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors; or
- Any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000;
- Any body of which you are in a position of general control or management and to which you are appointed or nominated by the Authority; or
- any body in respect of which you are in a position of general control or management and which:
 - exercises functions of a public nature; or
 - is directed to charitable purposes; or
 - has as its principal purpose or one of its principal purposes the influence of public opinion or policy (including any political party or trade union)

An Authority Function is defined as: -

- Housing - where you are a tenant of the Council provided that those functions do not relate particularly to your tenancy or lease; or
- Any allowance, payment or indemnity given to members of the Council;
- Any ceremonial honour given to members of the Council
- Setting the Council Tax or a precept under the Local Government Finance Act 1992

If you are at a meeting and you think that you have a significant interest then you **must** declare the existence **and** nature of the significant interest at the commencement of the

matter, or when the interest has become apparent, or the declarations of interest agenda item.

Once you have declared that you have a significant interest (unless you have been granted a dispensation by the Standards Committee or the Monitoring Officer, for which you will have applied to the Monitoring Officer prior to the meeting) you **must**:-

1. Not speak or vote (unless the public have speaking rights, or you are present to make representations, answer questions or to give evidence relating to the business being discussed in which case you can speak only)
2. Withdraw from the meeting during consideration of the matter or immediately after speaking.
3. Not seek to improperly influence the decision.

Gifts, Benefits and Hospitality

Councillors must declare at meetings any gift, benefit or hospitality with an estimated value (or cumulative value if a series of gifts etc.) of £100 or more. You **must**, at the commencement of the meeting or when the interest becomes apparent, disclose the existence and nature of the gift, benefit or hospitality, the identity of the donor and how the business under consideration relates to that person or body. However you can stay in the meeting unless it constitutes a significant interest, in which case it should be declared as outlined above.

What if I am unsure?

If you are in any doubt, Members are strongly advised to seek advice from the Monitoring Officer or the Democratic Services and Scrutiny Manager well in advance of the meeting.

DECLARATION OF DISCLOSABLE PECUNIARY INTERESTS, SIGNIFICANT INTERESTS AND GIFTS, BENEFITS AND HOSPITALITY

MEETING.....

DATE..... AGENDA ITEM

DISCRETIONARY PECUNIARY INTEREST

SIGNIFICANT INTEREST

GIFTS, BENEFITS AND HOSPITALITY

THE NATURE OF THE INTEREST, GIFT, BENEFITS OR HOSPITALITY:

.....
.....
.....

NAME (PRINT):

SIGNATURE:

Please detach and hand this form to the Democratic Services Officer when you are asked to declare any interests.